

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GREG S. LOY,

Plaintiff,

vs.

Civil Action 2:09-cv-00307

Judge John D. Holschuh

Magistrate Judge E. A. Preston Deavers

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This matter is before the Court for consideration of the June 9, 2010, Report and Recommendation of the Magistrate Judge (Doc. 17). The Magistrate Judge recommended that the Court remand the decision of the Commissioner of Social Security for further proceedings consistent with the Report and Recommendation.

The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a “waiver of the right to *de novo* review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court.” (Report and Recommendation, Doc. 17 at 22–23). The time period for filing objections to the Report and Recommendation expired. Defendant has not objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b).

Noting that no objections have been filed and that the time for filing such objections expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, the Court **REMANDS** the decision of the Commissioner of Social Security for further proceedings consistent with the Report and Recommendation.

IT IS SO ORDERED.

Date: June 29, 2010

/s/ John D. Holschuh
JOHN D. HOLSCHUH
UNITED STATES DISTRICT JUDGE